

ing Section 3 of House Bill No. 1152, Regular Session, Forty-fifth Legislature, so as to permit the sale of minnows in Johnson County; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, April 3, 1941.  
Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 800, "An Act making unlawful the use of force or violence or threats thereof to prevent or attempt to prevent any person from engaging in any lawful vocation and providing penalties for the violation thereof; making it unlawful for any person acting in concert with other persons to assemble and prevent or attempt to prevent by force or violence any person from engaging in a lawful vocation and making it unlawful to encourage and aid such unlawful assemblage and providing penalties for the violation thereof; defining the term "labor dispute"; making the provisions of this Act cumulative of existing laws; and providing a severance or saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, April 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 152, "An Act Authorizing eligible cities as defined herein to issue refunding bonds; providing method of paying and securing such bonds; enacting other provisions relating to the subject and other provisions relating to the issuance and payment of such bonds; authorizing proceedings under the Municipal Bankruptcy Act; making this Act cumulative of other laws, providing that it shall take precedence over other laws, general or special, and

all charter provisions in conflict or inconsistent herewith; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, April 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 86, Granting permission to both Houses to adjourn from Friday, April 4, 1941, until Tuesday, April 8, 1941.

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

#### SENT TO THE GOVERNOR

April 4, 1941.

House Bill No. 152.

House Bill No. 800.

House Bill No. 412.

House Concurrent Resolution No. 86.

#### FIFTIETH DAY

(Tuesday, April 8, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Brown
Allen	Bruhl
Allison	Bullock
Alsup	Bundy
Avant	Burkett
Bailey	Burnaman
Baker	Carlton
Bell	Carrington
Benton	Cato
Blankenship	Celaya
Boone	Chambers
Brawner	Clark
Bray	Cleveland
Bridgers	Coker

Colson, Mrs.	Leyendecker
Connelly	Lock
Craig	Love
Crossley	Lowry
Crosthwait	Lucas
Daniel	Lyle
Davis	McAlister
Dickson of Bexar	McCann
Dickson of Nolan	McDonald
Donald	McGlasson
Dove	McLellan
Duckett	McMurry
Dwyer	McNamara
Ellis	Manford
Eubank	Manning
Evans	Markle
Favors	Martin
Ferguson	Matthews
Files	Mills
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Gilmer	Morris
Goodman	Morse
Halsey	Murray
Hanna	Nicholson
Hardeman	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Phillips
Hartzog	Price
Heflin	Rampy
Helpinstill	Reed of Bowie
Henderson	Reed of Dallas
Hileman	Ridgeway
Hobbs	Roark
Howard	Roberts
Howington	Rhodes
Hoyo	Sallas
Huddleston	Senterfitt
Huffman	Sharpe
Hughes	Shell
Humphrey	Simpson
Hutchinson	Skiles
Isaacks	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Kennedy	Spangler
Kinard	Stanford
King	Stinson
Klingeman	Stubbs
Knight	Taylor
Lansberry	Thornton
Lehman	Turner

Vale	Weatherford
Voigt	White
Walters	Whitesides
Wattner	Winfree

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	Little

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

“Almighty God, we are glad because Thou hast been bountiful unto us. The sunshine speaks of Thy love, and the showers tell of Thy providence. Thy hand is not stayed that Thou shouldst not help us today, and Thy wisdom is not strained that Thou shouldst not give us understanding. Be Thou with us as we go, and bless our efforts insofar as they please Thee. In Christ's name. Amen.”

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Anderson for today on account of important State business, on motion of Mr. Reed of Dallas.

Mr. Kersey for today on motion of Mr. Carlton.

Mr. Little for today on motion of Mr. Morse.

The following Members were granted leaves of absence on account of illness:

Mr. Fitzgerald for today on motion of Mr. Hileman.

Mr. Deen for today on account of death in family, on motion of Mr. Murray.

Mr. Bean for today on account of death in family, on motion of Mr. Skiles.

## Extending Congratulations Of The House To Hon. R. Emmett Morse

Mr. Alsup offered the following resolution:

H. S. R. No. 188, Extending Congratulations of the House to Honorable R. Emmett Morse.

Whereas, The Hon. R. Emmett Morse has served his district and the State of Texas with honor and distinction as a Member of the House of Representatives since the Fortieth Legislature; and

Whereas, The Hon. R. Emmett Morse was elected Speaker of the Forty-sixth House by a unanimous vote of the membership of said House; and

Whereas, The Hon. R. Emmett Morse enjoyed the confidence, respect, and admiration of the entire membership of the House during his term as Speaker; and

Whereas, Father Time has indicated that today, April 8th, is another birthday of this outstanding Legislator and gentleman; now, therefore,

Be it resolved, by the House of Representatives, That the Hon. R. Emmett Morse be congratulated on his birthday, and that he be wished many happy returns of the day; and be it

Further resolved, That the Enrolling Clerk be authorized to send a copy of this resolution to the gentleman whose birthday is April 8th.

ALSUP.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

### ADDITIONAL SIGNERS OF BILL AND RESOLUTION

By unanimous consent of the House, the following Members were authorized to sign bill and resolution as coauthors of same, as follows:

Mr. Phillips: H. J. R. No. 3.

Mr. Huddleston, Mr. Reed of Bowie and Mr. Sallas: H. B. No. 327.

### MESSAGE FROM THE SENATE

Austin, Texas, April 8, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a new Conference Committee to adjust the differences between the two Houses on Senate Bill No. 70.

The following have been appointed on the part of the Senate:

Senators Moffett, Lemens, Van Zandt, Cotten and Beck.

The Senate has adopted the Conference Report on House Bill No. 338 by the following vote: Yeas, 26; nays, 1.

The Senate has refused to concur in House amendments to Senate Bill No. 398 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Moffett, Weinert, Hazlewood, Martin and Formby.

The Senate has passed

H. B. No. 300, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than seventy-three thousand and not more than seventy-six thousand according to the last preceding United States Census, etc., to allow each County Commissioner in certain counties certain expenses for traveling, etc.; and declaring an emergency."

H. B. No. 366, A bill to be entitled "An Act amending Article 3902, Revised Civil Statutes of Texas of 1925, and all amendments thereto,

by adding thereto a new subsection to be known as Subsection 8; fixing the compensation of the First Assistant or Chief Deputy and other assistants and deputies in certain counties; etc.; and declaring an emergency."

H. B. No. 408, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to lease any county hospital belonging to said county; etc.; and declaring an emergency."

H. B. No. 447, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in certain counties, etc.; and declaring an emergency."

H. B. No. 555, A bill to be entitled "An Act to amend Article 1030 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts 1931, Forty-second Legislature, etc.; providing that a city poll tax shall not be required to vote in any election in this State except in city elections; and declaring an emergency." (With amendment.)

H. B. No. 725, A bill to be entitled "An Act directing Red River County to issue certain warrants or other evidence of indebtedness and to declare the validity of certain indebtedness arising out of the construction of State Highway No. 37 in the County of Red River, etc.; and declaring an emergency."

H. B. No. 733, A bill to be entitled "An Act creating the position of Assignment Clerk for all counties having eight (8) District Courts, etc.; providing for the appointment of such clerk and for duties and salary; and declaring an emergency." (With amendment.)

H. B. No. 745, A bill to be entitled "An Act authorizing and providing procedure for the exclusion of un-irrigated lands from the boundaries of water control and improvement districts in this State, etc.; and declaring an emergency."

H. B. No. 772, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 314, Chapter 59, page 74, Special Laws of the Regular Session of the Forty-third Legislature, so as to except wild geese and wild

ducks from the provisions thereof; and declaring an emergency."

H. B. No. 812, A bill to be entitled "An Act authorizing cities operating under a Special or Home Rule Charter, etc., to issue notes for the purpose of funding or refunding outstanding and unpaid warrants drawn against the general fund for operating expenses, etc.; and declaring an emergency."

H. B. No. 557, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, etc., wild turkey for a period of five (5) years in Roberts, Hemphill and Hutchinson Counties, Texas; fixing penalties; and declaring an emergency." (With amendments.)

Adopted

H. C. R. No. 32, Requesting the Attorney General to institute an investigation of prices on farm implements and machinery.

H. C. R. No. 51, Authorizing the Federal Life Insurance Company to sue the State of Texas. (With amendments.)

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### REQUEST OF SENATE GRANTED

On motion of Mr. Cleveland, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 398.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 398:

Messrs. Cleveland, Bundy, Gilmer, Turner and Little.

#### BILL SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and its caption had been read the following enrolled bill:

S. B. No. 150, "An Act to create a Policemen, Firemen, and Fire Alarm Operators' Pension System for all cities in the State of Texas having a population in excess of two hundred thousand (200,000) inhabitants and

less than two hundred and ninety-three thousand (293,000) inhabitants, etc.; and declaring an emergency."

#### RELATIVE TO HOUSE BILL NO. 322

Mr. Reed of Bowie moved to reconsider the vote by which House Bill No. 322 failed to pass to engrossment.

Mr. Alsup raised a point of order on consideration of the motion by Mr. Reed of Bowie, on the ground that the motion violates certain constitutional provisions inasmuch that when one proposition is defeated the same measure cannot be considered again at that session.

The Speaker overruled the point of order.

Mr. Alsup raised a point of order on further consideration of the motion by Mr. Reed of Bowie, at this time, on the ground that the motion is not a routine motion and is therefore out of order at this time.

The Speaker sustained the point of order.

Mr. Reed of Bowie, moved to suspend all necessary Rules for the purpose of making a motion to reconsider the vote by which House Bill No. 322 was tabled.

Mr. Morris raised a point of order on further consideration of the motion by Mr. Reed of Bowie, at this time, on the ground that each Rule which he seeks to suspend has to be suspended severally.

The Speaker overruled the point of order.

Mr. Alsup raised a point of order on the ground that the motion is not a routine motion.

The Speaker overruled the point of order.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—79

Allison	Baker
Avant	Boone
Bailey	Bullock

Burnaman	Lowry
Carrington	Lucas
Cato	McCann
Chambers	McDonald
Connelly	McGlasson
Craig	McLellan
Crossley	McMurry
Daniel	McNamara
Davis	Manford
Dickson of Bexar	Manning
Dickson of Nolan	Martin
Donald	Matthews
Dove	Mills
Duckett	Moore
Dwyer	Morgan
Ellis	Murray
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Fuchs	Price
Gandy	Rampy
Goodman	Reed of Bowie
Halsey	Ridgeway
Hargis	Roark
Helpinstill	Roberts
Hileman	Sallas
Hobbs	Sharpe
Hoyo	Simpson
Huddleston	Smith of Bastrop
Huffman	Spacek
Hutchinson	Stubbs
Kennedy	Turner
King	Walters
Knight	White
Lehman	Whitesides
Lock	Winfree
Love	

Nays—61

Allen	Harris of Dallas
Alsup	Harris of Hill
Bell	Hartzog
Benton	Heflin
Blankenship	Henderson
Brawner	Howard
Bray	Howington
Bridgers	Hughes
Brown	Humphrey
Bruhl	Isaacks
Bundy	Jones
Burkett	Kelly
Carlton	Klingeman
Clark	Lansberry
Cleveland	Leyendecker
Coker	Lyle
Colson, Mrs.	McAlister
Crosthwait	Markle
Eubank	Montgomery
Files	Morris
Gilmer	Morse
Hanna	Nicholson
Hardeman	Phillips

Reed of Dallas	Stinson
Rhodes	Taylor
Senterfitt	Thornton
Shell	Vale
Skiles	Voigt
Smith of Atascosa	Wattner
Spangler	Weatherford
Stanford	

Absent

Celaya	Kinard
Garland	

Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	Little

#### RELATIVE TO HOUSE BILL NO. 327

Mr. Donald moved that House Bill No. 327 be withdrawn from the Committee on Appropriations and referred to the Committee of the Whole House.

Mr. Morris moved to postpone further consideration of the motion by Mr. Donald until 10:00 o'clock a. m. next April 22.

Mr. Donald moved to table the motion by Mr. Morris.

Mr. Bray and Mr. Lowry moved that the necessary Rules be suspended in order that Miss Files and Mr. Dwyer may address the House at this time.

The motion to suspend the Rules prevailed.

Question: Shall the motion by Mr. Donald to table the motion to postpone further consideration of House Bill No. 327 until 10:00 o'clock a. m. next April 22 prevail?

#### TEXT OF NEWSPAPER ARTICLE READ TO THE HOUSE BY MISS FILES

On motion of Mr. Eubank the following Articles from the "W. Lee O'Daniel News," as read to the House by Hon. Rae Files was ordered printed in the Journal:

The W. Lee O'Daniel News  
May 27, 1940

"And right here is an embarrassing moment to quote Section 49.

Article 3 of the Constitution of the State of Texas:

"No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, or pay existing debt; and the debt created to supply deficiencies in the revenue shall never exceed in the aggregate at any time, \$200,000."

Now I want to ask you, you 6,000,000 citizens who own this State, if you do not think that the framers of the Constitution intended to limit the debt of this State at any one time to \$200,000? I will tell you very frankly that I think that that was their definite intention. I do not believe that the framers of our Constitution ever intended that the affairs of this State should ever be conducted with hot checks. And if that is the meaning of the Constitution then we have no right to have a \$20,000,000 deficit in the General Fund.

"That's the same old system the landlord used on my stepdad. He got dad in debt the first year and maintained that deficit in dad's general fund just like this State is doing you folks, and it took dad 17 years of hard work for our whole family before he caught on to what was being done to him. You just can't borrow yourself out of debt whether you are a tenant farmer like dad was or whether you are the big State of Texas. That is a lesson in economics which I learned at poor dad's 17 years of experience. It's going to require \$49,000,000 to pay us out now, and I think it's high time that we were starting to get out of debt.

As your Governor all I can do is point these things out and to recommend that the Legislature raise the necessary money. I have in no sense been contentious with the Legislature about raising this money. I have said from the beginning that if the Legislature did not like the plan I recommended I was perfectly willing to accept a better plan, and from this position I have never changed."

June 10, 1940

"Now, folks if you want old age pensions paid at the rate of \$15 out of State funds to old people with no

other means of support, don't make the mistake of sending any man to the Legislature who tells you he can do this without raising some \$30,000,000 to \$35,000,000 to pay the bill."

"It is likely that you respect the Constitution of the State of Texas and would like to see the honest debts of our State paid. Well, if you feel that way, don't make the mistake of sending a man to the Legislature who would throw the Constitution into the trash can and continue to borrow money and get the State into worse and worse financial shape. If you believe that the State ought to carry out its pledged word and pay what it justly owes into the teachers old age retirement fund, it will be up to you to elect legislators who will arrange for tax money to pay this obligation. Talk is cheap but it takes the actual money if the State is going to fulfill its promise to its superannuated school teachers on the retirement list."

#### ADDRESS ORDERED PRINTED

On motion of Mr. Evans the remarks of Mr. Donald in addressing the House were ordered printed in the Journal.

#### APPOINTMENTS ON SPECIAL COMMITTEE

The Speaker announced the appointment of Mr. McLellan and Mr. Hanna on the committee heretofore appointed to escort Miss Helen Keller to the Speaker's Stand.

#### ADDRESS BY MISS HELEN KELLER

(In Joint Session)

In accordance with the provisions of Senate Concurrent Resolution No. 37, Providing for Joint Session of the House and Senate to hear Miss Helen Keller at 11:30 o'clock a. m., today, the Honorable Senators, escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and, being duly admitted, were escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's Stand.

Miss Helen Keller, Governor and Mrs. W. Lee O'Daniel and party, escorted by Senators Van Zandt, Lemens, Brownlee, Kelley and Martin, committee on the part of the Senate, and Messrs. Alsup, Martin, Dove, Huddleston, Hanna and McLellan, committee on the part of the House, were announced at the bar of the House and were escorted to seats on the Speaker's stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing an address by Miss Helen Keller.

The Lieutenant Governor directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called and the following senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Hill	Van Zandt
Isbell	Vick
Kelley	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Ramsey                      Spears

A quorum of the Senate was announced present.

Speaker Homer Leonard called the House to order and directed the clerk to call the roll of the House.

The roll of the House was called and the following members were present:

Mr. Speaker	Benton
Allen	Blankenship
Allison	Boone
Alsup	Brawner
Avant	Bray
Bailey	Bridgers
Baker	Brown
Bell	Bruhl

Bullock	Leyendecker
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McCann
Chambers	McDonald
Clark	McGlasson
Cleveland	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manford
Craig	Manning
Crossley	Markle
Crosthwait	Martin
Daniel	Matthews
Davis	Mills
Dickson of Bexar	Montgomery
Dickson of Nolan	Moore
Donald	Morgan
Duckett	Morris
Dwyer	Morse
Ellis	Murray
Eubank	Nicholson
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Files	Phillips
Fuchs	Price
Gandy	Rampy
Gilmer	Reed of Bowie
Goodman	Reed of Dallas
Halsey	Ridgeway
Hanna	Roark
Hardeman	Roberts
Hargis	Rhodes
Harris of Dallas	Sallas
Harris of Hill	Senterfitt
Hartzog	Sharpe
Heflin	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Spacek
Howington	Spangler
Hoyo	Stanford
Huffman	Stinson
Hughes	Stubbs
Humphrey	Taylor
Isaacks	Thornton
Jones	Turner
Kelly	Vale
Kennedy	Voigt
Kersey	Walters
King	Wattner
Klingeman	Weatherford
Knight	White
Lansberry	Whitesides
Lehman	Winfree



## Absent

Dove	Huddleston
Garland	Hutchinson

## Absent—Excused

Anderson	Fitzgerald
Bean	Kinard
Deen	Little

A quorum of the House was announced present.

The Speaker presented Honorable Lonnie Alsup, who presented Senator Olan R. Van Zandt, who in turn presented Governor W. Lee O'Daniel to the Joint Session.

Gov. O'Daniel presented Miss Ann Sullavin Mason to the House, and introduced Miss Helen Keller.

Miss Keller then addressed the Joint Session and the assemblage.

## SENATE RETIRES

At the conclusion of the address, the Senate at 12:30 o'clock p. m., retired to its Chamber.

## MESSAGE FROM THE SENATE

Austin, Texas, April 8, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 45, A bill to be entitled "An Act authorizing Counties having an assessed valuation of not less than twenty million dollars and a population of not more than three (3) persons per square mile to vote, levy, assess and collect a County-wide school maintenance tax, etc. and declaring an emergency."

S. B. No. 65, A bill to be entitled "An Act amending Sec. 17A of Chapter 126 of the Acts of the Regular Session of the 44th Legislature as amended by Senate Bill No. 21, the same being Chap. 505 of the Acts of the Third Called Session of the 44th Legislature; as amended by S. B. No. 493, Acts of the Regular Session of the 46th Legislature; and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act making it unlawful to take

or kill wild deer in the County of Hudspeth for a period of five (5) years, etc., and declaring an emergency."

S. B. No. 156, A bill to be entitled "An Act accepting the provisions of Public No. 413 Acts of the 76th Congress, and declaring the lands acquired by the United States Government upon the United Mexican States by the convention signed February 1, 1933, etc., and declaring an emergency."

S. B. No. 191, A bill to be entitled "An Act authorizing Trustees of Independent School Districts to order an election to vote refunding bonds for the purpose of buying in bonds which have been previously issued without option of prior redemption and prescribing the method of holding such elections, etc., and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act to amend Art. 4477 of the R. C. S. of Texas, Rule 82, Sanitary Code, regulating the shipment of dead bodies not by express, etc.; and declaring an emergency."

S. B. No. 292, A bill to be entitled "An Act to create a Gov. James Stephen Hogg Memorial Shrine, etc., and declaring an emergency."

S. B. No. 254, A bill to be entitled "An Act to authorize and regulate the expenditures for public purposes from county funds of designated officers in certain counties, etc., and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act providing for a separate depository for the administration of the school funds of the Prosper Independent School District; etc., and declaring an emergency."

S. B. No. 411, A bill to be entitled "An Act providing for the setting of nets for the purpose of catching suckers, buffalo, etc, in the waters of Bosque County during certain months, and declaring an emergency."

S. B. No. 300, A bill to be entitled "An Act amending Chapter 25, Acts of the Regular Session of the 39th Legislature of Texas, as amended, by adding a new section, to be known as Section 3b; etc, and declaring an emergency."

S. B. No. 299, A bill to be entitled "An Act granting fresh water supply districts heretofore or hereafter created in certain counties, etc.; and declaring an emergency."

S. B. No. 406, A bill to be entitled "An Act to amend the subject matter embraced in Section 9 of Chapter 482, General and Special Laws, 44th Legislature, Third Called Session, etc., setting forth the manner in which funds may be deposited and withdrawn from said fund, etc.; and declaring an emergency."

S. B. No. 419, A bill to be entitled "An Act providing for a supplemental scholastic census in certain school districts, etc, and declaring an emergency."

H. B. No. 20, A bill to be entitled "An Act providing for licensing of operators, commercial operators, and chauffeurs, defining certain terms, etc; and declaring an emergency." (With amendments.)

Adopted

S. C. R. No. 38, Memorializing Congress to protect the citizens in certain defense activities, duties, etc.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 45, to the Committee on Counties.

S. B. No. 65, to the Committee on State Affairs.

S. B. No. 151, to the Committee on Game and Fisheries.

S. B. No. 156, to the Committee on Public Lands and Buildings.

S. B. No. 191, to the Committee on School Districts.

S. B. No. 289, to the Committee on Public Health.

S. B. No. 292, to the Committee on State Affairs.

S. B. No. 254, to the Committee on Counties.

S. B. No. 266, to the Committee on School Districts.

S. B. No. 411, to the Committee on Game and Fisheries.

S. B. No. 300, to the Committee on Counties.

S. B. No. 299, to the Committee on Counties.

S. B. No. 406, to the Committee on State Affairs.

S. B. No. 419, to the Committee on School Districts.

#### HOUSE BILL NO. 716 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 716, A bill to be entitled "An Act amending Article 3955 and Article 3959, Title 63, of the Revised Civil Statutes of 1925, so as to provide for fire escapes for school houses of two or more stories in height; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 716 ON THIRD READING

Mr. Dickson of Nolan moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 716 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Allen	Bullock
Allison	Bundy
Alsup	Burkett
Avant	Burnaman
Bailey	Carlton
Baker	Carrington
Bell	Cato
Benton	Clark
Blankenship	Cleveland
Boone	Coker
Brawner	Colson, Mrs.
Bray	Connelly
Bridgers	Crossley
Brown	Crosthwait
Bruhl	Daniel

Davis	Lyle
Dickson of Bexar	McAlister
Dickson of Nolan	McCann
Donald	McDonald
Dove	McLellan
Duckett	McMurry
Dwyer	McNamara
Ellis	Manford
Eubank	Manning
Evans	Markle
Favors	Martin
Ferguson	Matthews
Files	Mills
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Gilmer	Morris
Goodman	Morse
Halsey	Murray
Hanna	Pace
Hardeman	Parker
Hargis	Pevehouse
Harris of Dallas	Phillips
Harris of Hill	Price
Hartzog	Rampy
Heflin	Reed of Bowie
Helpinstill	Reed of Dallas
Henderson	Ridgeway
Hileman	Roark
Hobbs	Roberts
Howard	Rhodes
Howington	Sallas
Hoyo	Senterfitt
Huddleston	Simpson
Huffman	Sharpe
Hughes	Shell
Humphrey	Smith of Bastrop
Hutchinson	Smith of Atascosa
Jones	Spacek
Kelly	Spangler
Kennedy	Stanford
Kinard	Stubbs
King	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Walters
Leyendecker	Wattner
Lock	Weatherford
Love	White
Lowry	Whitesides
Lucas	

## Absent

Celaya	Nicholson
Chambers	Skiles
Craig	Stinson
Isaacks	Voigt
McGlasson	Winfree

## Absent—Excused

Anderson	Bean
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Deen	Kersey
Fitzgerald	Little

The Speaker then laid House Bill No. 716 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—127

Allen	Hardeman
Allison	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bell	Heflin
Benton	Helpinstill
Blankenship	Henderson
Boone	Hobbs
Brawner	Howington
Bray	Hoyo
Brown	Huddleston
Bruhl	Huffman
Bullock	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Burnaman	Isaacks
Carlton	Jones
Carrington	Kelly
Cato	Kennedy
Celaya	Kinard
Chambers	King
Clark	Klingeman
Cleveland	Lansberry
Coker	Lehman
Colson, Mrs.	Leyendecker
Connelly	Love
Craig	Lowry
Crossley	Lucas
Crosthwait	Lyle
Daniel	McAlister
Davis	McCann
Dickson of Bexar	McDonald
Dickson of Nolan	McMurry
Donald	McNamara
Dove	Manford
Duckett	Manning
Dwyer	Markle
Ellis	Martin
Eubank	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Moore
Files	Morgan
Fuchs	Morse
Gandy	Murray
Garland	Pace
Gilmer	Parker
Goodman	Pevehouse
Halsey	Phillips
Hanna	Price

Rampy	Spacek
Reed of Bowie	Spangler
Reed of Dallas	Stinson
Ridgeway	Stubbs
Rhodes	Taylor
Roark	Thornton
Roberts	Turner
Sallas	Vale
Senterfitt	Wattner
Sharpe	Weatherford
Shell	White
Simpson	Whitesides
Smith of Atascosa	

## Nays—9

Alsup	Skiles
Hileman	Smith of Bastrop
Knight	Voigt
Lock	Walters
Morris	

## Absent

Bridgers	Nicholson
Howard	Stanford
McGlasson	Winfree
McLellan	

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	Little

Mr. Dickson of Nolan moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 419 ON  
SECOND READING

Mr. Celaya moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 419 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—139

Allen	Benton
Allison	Blankenship
Alsup	Boone
Avant	Brawner
Bailey	Bray
Baker	Bridgers
Bell	Brown

Bruhl	Kinard
Bullock	King
Bundy	Klingeman
Burkett	Knight
Burnaman	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Cato	Lock
Celaya	Love
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McCann
Connelly	McDonald
Craig	McLellan
Crossley	McMurry
Crosthwait	McNamara
Daniel	Manford
Davis	Manning
Dickson of Bexar	Markle
Dickson of Nolan	Martin
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Morse
Favors	Murray
Ferguson	Pace
Files	Parker
Fuchs	Pevehouse
Gandy	Phillips
Garland	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Heffin	Sharpe
Helpinstill	Shell
Henderson	Simpson
Hileman	Skiles
Hobbs	Smith of Bastrop
Howard	Smith of Atascosa
Howington	Spacek
Hoyo	Spangler
Huddleston	Stanford
Huffman	Stinson
Hughes	Stubbs
Humphrey	Taylor
Hutchinson	Thornton
Isaacks	Turner
Jones	Vale
Kelly	Voigt
Kennedy	Walters

Wattner	Whitesides
Weatherford	Winfree
White	

Absent

McGlasson	Nicholson
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Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	Little

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 419, A bill to be entitled "An Act providing for a supplemental scholastic census in certain school districts, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 419 ON THIRD READING

The Speaker then laid Senate Bill No. 419 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—141

Allen	Colson, Mrs.
Allison	Connelly
Alsup	Craig
Avant	Crossley
Bailey	Crosthwait
Baker	Daniel
Bell	Davis
Benton	Dickson of Bexar
Blankenship	Dickson of Nolan
Boone	Donald
Brawner	Dove
Bray	Duckett
Bridgers	Dwyer
Brown	Ellis
Bruhl	Eubank
Bullock	Evans
Bundy	Favors
Burkett	Ferguson
Burnaman	Files
Carlton	Fuchs
Carrington	Gandy
Cato	Garland
Celaya	Gilmer
Chambers	Goodman
Clark	Halsey
Cleveland	Hanna
Coker	Hardeman

Hargis	Mills
Harris of Dallas	Montgomery
Harris of Hill	Moore
Hartzog	Morgan
Heflin	Morris
Helpinstill	Morse
Henderson	Murray
Hileman	Pace
Hobbs	Parker
Howard	Pevehouse
Howington	Phillips
Hoyo	Price
Huddleston	Rampy
Huffman	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Hutchinson	Rhodes
Isaacks	Roark
Jones	Roberts
Kelly	Sallas
Kennedy	Senterfitt
Kinard	Sharpe
King	Shell
Klingeman	Simpson
Knight	Skiles
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Leyendecker	Spacek
Lock	Spangler
Love	Stanford
Lowry	Stinson
Lucas	Stubbs
Lyle	Taylor
McAlister	Thornton
McCann	Turner
McDonald	Vale
McLellan	Voigt
McMurry	Walters
McNamara	Wattner
Manford	Weatherford
Manning	White
Markle	Whitesides
Martin	Winfree
Matthews	

Absent

McGlasson	Nicholson
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Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	Little

#### HOUSE BILL NO. 733 WITH SENATE AMENDMENTS

Mr. Harris of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 733, A bill to be entitled

"An Act creating the position of Assignment Clerk for all counties having eight District Courts, two of which are Criminal District Courts, and four County Courts of which two are County Courts at Law and one is a County Criminal Court, providing for the appointment of such clerk and for duties and salary, and declaring an emergency."

On motion of Mr. Harris of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—134

Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hanna
Baker	Hardeman
Bell	Hargis
Benton	Harris of Dallas
Blankenship	Harris of Hill
Boone	Hartzog
Brawner	Heflin
Bray	Helpinstill
Bridgers	Henderson
Brown	Hobbs
Bruhl	Howard
Bullock	Howington
Bundy	Hoyo
Burkett	Huddleston
Burnaman	Huffman
Carlton	Hughes
Carrington	Humphrey
Cato	Hutchinson
Celaya	Isaacks
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Kinard
Connelly	King
Craig	Klingeman
Crosthwait	Knight
Daniel	Lansberry
Davis	Lehman
Dickson of Bexar	Leyendecker
Dickson of Nolan	Lock
Donald	Love
Dove	Lowry
Duckett	Lucas
Dwyer	Lyle
Ellis	McAlister
Eubank	McCann
Evans	McDonald
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fuchs	Manford
Gandy	Manning
Garland	Markle

Martin	Senterfitt
Matthews	Shell
Mills	Simpson
Montgomery	Skiles
Moore	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Spangler
Murray	Stinson
Pace	Stubbs
Parker	Taylor
Pevehouse	Thornton
Phillips	Turner
Price	Vale
Rampy	Voigt
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Rhodes	White
Roark	Whitesides
Roberts	Winfree
Sallas	

Nays—1

Sharpe

Present—Not Voting

Allen

Hileman

Absent

Chambers  
Crossley  
McGlasson

Nicholson  
Stanford

Absent—Excused

Anderson  
Bean  
Deen

Fitzgerald  
Kersey  
Little

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Phillips:

H. B. No. 868, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than Twenty-seven Thousand Fifty-nine (27,059) and not more than Twenty-seven Thousand One Hundred Fifty (27,150) according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling, providing for the purchase of automobiles by the

county for the use of the County Commissioners on official business, providing for the method of purchase, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Phillips:

H. B. No. 869, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than Twenty Thousand and Fifty (20,050) and not more than Twenty Thousand, One Hundred and Fifty (20,150), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such Commissioner to pay the expense of operation and repair of such automobile so used by him without further expense to the county, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Kelly asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 870.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Kelly, Mrs. Colson and Mr. McDonald:

H. B. No. 870, A bill to be entitled "An Act making it unlawful for any person to hunt, snare, kill, or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn or wild turkey in the Counties of Walker, San Jacinto, Montgomery, Brazos and Grimes, in the State of Texas, for a period of four years from and after the passage of this Act; providing a penalty therefor; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Dickson of Bexar asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 871.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Dickson of Bexar (by request):

H. B. No. 871, A bill to be entitled "An Act granting consent by the State of Texas to Walter Garrison, Burt C. Cromwell and his wife, Lucille Cromwell, their heirs, executors and administrators, to file suit against the State of Texas and/or County of San Patricio and/or State Highway Department of Texas in the District Court of San Patricio County, Texas; and to impose liability on the State of Texas for the negligence of its agents, officers or representatives for damages proximately caused by such negligence to the above named claimants, growing out of an automobile accident on the public highway running from Sinton to Taft, Texas, and providing for process in such suit upon the Attorney General of Texas, and any judgment to be paid out of the State Highway fund and from the monies received from motor vehicle registration fees; providing further that the invalidity of one part of the Act should not render invalid other provisions; and declaring an emergency."

Referred to the Committee on State Affairs.

Mr. Simpson moved to introduce at this time and have placed on first reading House Bill No. 872.

The motion prevailed by the following vote:

Yeas—123

Allen	Burkett
Allison	Burnaman
Avant	Carlton
Bailey	Carrington
Baker	Cato
Bell	Celaya
Benton	Chambers
Boone	Clark
Bray	Cleveland
Bridgers	Coker
Brown	Colson, Mrs.
Bruhl	Connelly
Bullock	Craig
Bundy	Crossley

Crosthwait	Lyle
Daniel	McAlister
Davis	McCann
Dickson of Bexar	McDonald
Dickson of Nolan	McLellan
Donald	McMurry
Duckett	Manford
Dwyer	Manning
Ellis	Martin
Eubank	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Moore
Files	Morgan
Fuchs	Morris
Gandy	Morse
Garland	Murray
Halsey	Pace
Hanna	Parker
Hardeman	Pevehouse
Hargis	Phillips
Harris of Dallas	Rampy
Harris of Hill	Ridgeway
Hartzog	Rhodes
Helpinstill	Roark
Henderson	Roberts
Hileman	Sallas
Hobbs	Senterfitt
Hoyo	Sharpe
Huddelston	Simpson
Huffman	Skiles
Hughes	Smith of Bastrop
Humphrey	Smith of Atascosa
Hutchinson	Spacek
Isaacks	Spangler
Jones	Stanford
Kelly	Stinson
Kennedy	Stubbs
Kinard	Taylor
King	Thornton
Klingeman	Turner
Knight	Vale
Lansberry	Walters
Lehman	Wattner
Leyendecker	Weatherford
Lock	Whitesides
Love	Winfree
Lucas	

## Nays—7

Alsup	McNamara
Blankenship	Markle
Howard	Reed of Bowie
Howington	

## Absent

Brawner	Nicholson
Dove	Price
Gilmer	Reed of Dallas
Goodman	Shell
Heflin	Voigt
Lowry	White
McGlasson	

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	Little

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Simpson, Mr. Stubbs, Mr. McCann, Mr. Cato, Mr. Senterfitt, Mr. Boone and Mr. Love:

H. B. No. 872, A bill to be entitled "An Act levying a tax on the privilege of recording on a certificate of title a lien on a motor vehicle; providing that such tax shall be ten (10¢) cents on each One Hundred (\$100.00) Dollars or fraction thereof, in excess of the first Two Hundred (\$200.00) Dollars of the amount of the lien noted on the certificate of title and shall be assessed against each person making application for a certificate of title on a motor vehicle with the notation of a lien thereon; providing that such tax shall be collected by the County Tax Collector and be forwarded to the Department of Public Safety with applications for certificates of title; providing for an allocation of the funds received from such tax to the Old Age Assistance Fund; providing that the tax shall be paid but once with certain exceptions; providing that this Act shall not amend the Certificate of Title Act in certain particulars; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

Mr. Skiles asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 873.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Skiles:

H. B. No. 873, A bill to be entitled "An Act to amend Chapter 83, Senate Bill No. 179, of the General Laws passed by the Forty-first Legislature of the State of Texas, Second Called Session, by amending Section



4 of said Act to provide that no person shall be certified to teach in the public schools of the State of Texas until he has secured credit for the course in both Federal and State Constitution of the grade of instruction upon which he is applying for the certificate; or in lieu thereof, shall have passed an examination set by the State Superintendent of Public Instruction on the Constitution of the United States and Texas; provided any person who has to his credit in any college or university of Texas as much as six (6) hours of American Government shall be deemed to have met the requirements of this section; providing that after September 1, 1941, no student shall be awarded the bachelor's degree from any tax-supported State educational institutions unless such student shall have completed theretofore in a standard college or university at least six (6) hours for credit in the government of the State of Texas or of the United States of America, or the equivalent in both; and declaring an emergency."

Referred to the Committee on School Districts.

Mr. Hartzog asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 874.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Hartzog:

H. B. No. 874, A bill to be entitled "An Act to define interest and to provide for certain remedies for the prevention of usury; to define salary buying and other subterfuges as a loan; giving to the courts the power to appoint receivers and issue injunctions to prevent usury at the instance and request of the Attorney General of Texas or the County Attorney of any county in Texas where a violation may occur; providing appropriate penalties; providing for the forfeiture of the contract; providing a saving clause; and declaring an emergency."

Referred to the Committee on Banks and Banking.

Mr. Stanford asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 875.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Stanford:

H. B. No. 875, A bill to be entitled "An Act to amend Article 5221-b, Vernon's Annotated Statutes of Texas, as amended, by adding a new section to be known as Section 8-A; defining certain additional terms; making provisions with reference to the authority of the Unemployment Compensation Commission to make reasonable rules and regulations regarding seasonal workers; and declaring an emergency."

Referred to Committee on State Affairs.

Mr. Burnaman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 876.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Burnaman:

H. B. No. 876, A bill to be entitled "An Act repealing Article 500 of the Revised Statutes of Texas, 1925."

Referred to the Committee on Banks and Banking.

Mr. Burnaman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 877.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Burnaman:

H. B. No. 877, A bill to be entitled "An Act repealing Article 501 of the Revised Statutes of Texas, 1925."

Referred to the Committee on Banks and Banking.

Mr. Burnaman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 878.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Burnaman:

H. B. No. 878, A bill to be entitled "An Act amending Article 502 of the Revised Statutes of Texas, 1925, providing the method of conversion of State banking corporations into National banking corporations, and validating purported conversions of National banking corporations under prior law; and declaring an emergency."

Referred to the Committee on Banks and Banking.

Mr. Burnaman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 879.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Burnaman:

H. B. No. 879, A bill to be entitled "An Act to amend House Bill No. 546, Acts of the 40th Legislature, 1927, page 289, Chapter 202, Section 1, providing for the amendment of the charter of corporations organized under the provisions of Title 16, of the Revised Statutes of Texas, 1925, for the purpose of increasing or decreasing capital stock, to change name, to adopt trust powers and for any other lawful purpose, including the extension of time of corporate existence for a period of not exceeding fifty years from the effective

date of amendment, and providing for the adoption of the powers of commercial banks and banks and trust companies by Morris Plan Banks through amendment of its charter, and declaring an emergency."

Referred to the Committee on Banks and Banking.

Mr. Burnaman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 880.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Burnaman:

H. B. No. 880, A bill to be entitled "An Act providing for the preservation of bank examiners' reports and correspondence files and for the preservation of the books, records and files of insolvent banks, and further providing for the destruction of such reports and correspondence and sale or destruction of such books, records and files of insolvent banks; and declaring an emergency."

Referred to the Committee on Banks and Banking.

PRESENTATION OF MARY ELIZABETH SUTHERLAND AND  
FRED NIEMAN

In accordance with the provisions of House Simple Resolution No. 182, Inviting Mary Elizabeth Sutherland, vice president of the University student body, and Fred Nieman, president, to appear before the House, Miss Sutherland and Mr. Nieman having been escorted to the Speaker's stand, Speaker Leonard introduced them to the House and presented each with an enrolled copy of House Simple Resolution No. 182.

Miss Sutherland and Mr. Nieman then addressed the House briefly.

Speaker Leonard then expressed appreciation on the part of the House to the guests.

## RECESS

Mr. Skiles moved that the House recess until 3:00 o'clock p. m. today.

Mr. Davis moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion to recess prevailed and the House accordingly, at 1:05 o'clock p. m., took recess until 3:00 o'clock p. m. today.

## AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

## COMMUNICATION

The Speaker laid before the House and had read the following communication:

Austin, Texas, March 15, 1941.

Hon. Homer Leonard, Speaker,  
House of Representatives, Capitol  
Station, Austin, Texas.

Dear Mr. Leonard: We have received a copy of House Simple Resolution No. 53, which was introduced in the House by Hon. Duncan S. Hughes, and unanimously passed by the House of Representatives. We sincerely and deeply appreciate the honor that has thus been conferred upon the memory of our deceased relative, Claude D. Teer. We know if he were here he would appreciate this honor more than any honor that has ever been conferred upon him.

We believe Claude enjoyed serving as a member of the House of Representatives more than any office he ever held, and if it were possible for him to know that his Resolution had been adopted by the House of Representatives it would be a source of great satisfaction to him. He loved his friends, and particularly, did he love his friends who have been members of the House of Representatives.

We sincerely appreciate the honor accorded him in passing this Resolution, and we desire to express to you, and through you to Mr. Hughes, who introduced the Resolution, and the other members of the House of the 47th Legislature, for thus cher-

ishing the memory of our deceased relative.

Sincerely yours,

MRS. J. T. DEWBERRY,  
LEWIS TEER,  
WALTER F. TEER,  
JAMES W. WAYMAN,  
CULLEN WAYMAN,  
MRS. CLARA TEER,  
MRS. ANNA FAYE PETERSON,  
MRS. J. S. TEER,  
MISS ANNA TEER,  
JOHN F. TEER,  
MISS ETHEL TEER,  
MRS. COLEMAN COOK.

MEMORIALIZING CONGRESS IN  
REGARD TO STRIKES AND  
VIOLENCE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 38, Memorializing Congress in regard to Strikes and Violence in Industries.

Whereas, This nation is now in the midst of a vast program in the interest of the national defense; and  
Whereas, The very existence of this nation and other democracies is threatened with destruction; and

Whereas, The United States is spending large sums of money and is calling to military service its finest manhood in an effort to preserve to the people of this nation the benefits, protection, and enjoyment of the principles of a free democracy; and

Whereas, Notwithstanding the existence of said emergency and the effort of the government to preserve the liberties of a free people, many of the industries of this nation, vital and indispensable to said national defense program, have been closed down by strikes and violence resulting from labor controversies. It is believed that such strikes are being inspired, in the main, by the foreign enemies of democracy for the purpose of preventing this nation from carrying out its preparedness program; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, That it is the sentiment, will and desire of the Texas Legislature that the Congress of the United States immediately pass drastic and effective

legislation to prevent such strikes and violence, and to protect our industries from such activities, and to protect the patriotic citizens of this nation who are working in such industries from violence and threatened violence while discharging the duties of their employment; and, be it further

Resolved, That a copy of this Resolution be sent to each member of Congress from Texas and to both United States Senators.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 555 WITH SENATE AMENDMENTS

Mr. Roark called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 555, A bill to be entitled "An Act to amend Article 1030 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts 1931, Forty-second Legislature, Chapter 5, page 262; providing that a City Poll Tax shall not be required to vote in any election in this State except in city elections; and declaring an emergency."

On motion of Mr. Roark, the House concurred in the Senate amendments by the following vote:

Yeas—122

Allen	Cato
Allison	Chambers
Alsup	Clark
Avant	Coker
Bailey	Colson, Mrs.
Baker	Connelly
Bell	Craig
Benton	Crothwait
Blankenship	Daniel
Boone	Davis
Brawner	Dickson of Bexar
Bray	Donald
Bridgers	Dove
Brown	Duckett
Bruhl	Dwyer
Bundy	Ellis
Burkett	Eubank
Burnaman	Evans
Carlton	Favors
Carrington	Ferguson

Files  
Fuchs  
Gandy  
Garland  
Gilmer  
Goodman  
Hanna  
Hardeman  
Hargis  
Harris of Dallas  
Harris of Hill  
Heflin  
Helpinstill  
Hileman  
Hobbs  
Howington  
Huddleston  
Huffman  
Hughes  
Humphrey  
Hutchinson  
Isaacks  
Jones  
Kelly  
Kennedy  
Kinard  
King  
Knight  
Lansberry  
Lehman  
Leyendecker  
Little  
Lock  
Love  
Lowry  
Lucas  
Lyle  
McAlister  
McCann  
McDonald  
McLellan

McMurry  
McNamara  
Manford  
Manning  
Markle  
Martin  
Matthews  
Mills  
Moore  
Morgan  
Morris  
Morse  
Murray  
Nicholson  
Pace  
Parker  
Phillips  
Price  
Rampy  
Reed of Dallas  
Ridgeway  
Rhodes  
Roark  
Roberts  
Sallas  
Senterfitt  
Simpson  
Skiles  
Smith of Bastrop  
Spacek  
Stinson  
Stubbs  
Taylor  
Thornton  
Turner  
Voigt  
Walters  
Wattner  
White  
Whitesides  
Winfree

#### Absent

Bullock	McGlasson
Celaya	Montgomery
Cleveland	Pevehouse
Crossley	Reed of Bowie
Dickson of Nolan	Sharpe
Halsey	Shell
Hartzog	Smith of Atascosa
Henderson	Spangler
Howard	Stanford
Hoyo	Vale
Klingeman	Weatherford

#### Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

## HOUSE BILL NO. 557 WITH SENATE AMENDMENTS

Mr. Craig called up from the Speaker's table, with Senate amendment, for consideration of the amendments,

H. B. No. 557, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer and/or wild turkey for a period of five (5) years in Roberts, Hemphill and Hutchinson counties, Texas; fixing penalties; and declaring an emergency."

On motion of Mr. Craig the House concurred in the Senate amendments.

## HOUSE CONCURRENT RESOLUTION NO. 51 WITH SENATE AMENDMENTS

Mr. McAlister called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 51, To grant the Federal Life Insurance Company permission to sue the State.

On motion of Mr. McAlister the House concurred in the Senate amendments by the following vote:

Yeas—124

Allen	Crothwait
Allison	Daniel
Alsup	Davis
Avant	Dickson of Bexar
Bailey	Donald
Baker	Dove
Bell	Duckett
Benton	Dwyer
Blankenship	Ellis
Boone	Evans
Brawner	Favors
Bray	Ferguson
Bridgers	Files
Brown	Fuchs
Bruhl	Gandy
Bullock	Garland
Burkett	Gilmer
Burnaman	Goodman
Carlton	Halsey
Carrington	Hanna
Cato	Hardeman
Clark	Hargis
Coker	Harris of Dallas
Colson, Mrs.	Harris of Hill
Connelly	Hartzog
Craig	Heflin

Helpinstill  
Henderson  
Hileman  
Hobbs  
Howington  
Huddleston  
Huffman  
Hughes  
Humphrey  
Hutchinson  
Isaacks  
Jones  
Kelly  
Kennedy  
Kinard  
Klingeman  
Knight  
Lansberry  
Lehman  
Leyendecker  
Little  
Lock  
Love  
Lowry  
Lucas  
Lyle  
McAlister  
McDonald  
McLellan  
McMurry  
McNamara  
Manford  
Manning  
Markle  
Martin  
Matthews

Mills  
Moore  
Morgan  
Morris  
Morse  
Murray  
Nicholson  
Pace  
Parker  
Pevehouse  
Phillips  
Price  
Rampy  
Reed of Bowie  
Reed of Dallas  
Ridgeway  
Rhodes  
Roberts  
Sallas  
Senterfitt  
Shell  
Simpson  
Skiles  
Smith of Bastrop  
Spacek  
Stinson  
Stubbs  
Taylor  
Thornton  
Turner  
Voigt  
Walters  
Wattner  
White  
Whitesides  
Winfree

## Absent

Bundy	McCann
Celaya	McGlasson
Chambers	Montgomery
Cleveland	Roark
Crossley	Sharpe
Dickson of Nolan	Smith of Atascosa
Eubank	Spangler
Howard	Stanford
Hoyo	Vale
King	Weatherford

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

## HOUSE BILL NO. 503 WITH SENATE AMENDMENTS

Mr. McCann called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 503, A bill to be entitled "An Act regulating the use of duck blinds in the waters of Harrison and Marion Counties, Texas; regulating the use thereof; providing license tax for the use of commercial blinds and declaring an emergency."

On motion of Mr. McCann the House concurred in the Senate amendments by the following vote:

## Yeas—119

Allen	Henderson
Allison	Hileman
Alsup	Hobbs
Avant	Howington
Bailey	Huddleston
Baker	Huffman
Bell	Hughes
Benton	Humphrey
Blankenship	Hutchinson
Boone	Isaacks
Brawner	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kinard
Bullock	King
Burkett	Klingeman
Burnaman	Knight
Cato	Lansberry
Chambers	Lehman
Clark	Leyendecker
Cleveland	Little
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lucas
Craig	Lyle
Crossley	McAlister
Crothwait	McCann
Daniel	McDonald
Davis	McLellan
Dickson of Bexar	McMurry
Dove	McNamara
Duckett	Manford
Ellis	Manning
Evans	Markle
Favors	Martin
Ferguson	Matthews
Files	Mills
Fuchs	Moore
Gandy	Morgan
Garland	Morris
Gilmer	Morse
Halsey	Murray
Hanna	Nicholson
Hardeman	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Hartzog	Phillips
Heflin	Price
Helpinstill	Rampy

Reed of Bowie	Spangler
Ridgeway	Stinson
Rhodes	Stubbs
Roark	Taylor
Roberts	Thornton
Sallas	Voigt
Senterfitt	Walters
Simpson	Wattner
Skiles	White
Smith of Bastrop	Whitesides
Spacek	

## Present—Not Voting

Bray

## Absent

Bundy	Lock
Carlton	McGlasson
Carrington	Montgomery
Celaya	Reed of Dallas
Dickson of Nolan	Sharpe
Donald	Shell
Dwyer	Smith of Atascosa
Eubank	Stanford
Goodman	Turner
Harris of Hill	Vale
Howard	Weatherford
Hoyo	Winfree

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

## HOUSE BILL NO. 504 WITH SENATE AMENDMENTS

Mr. McCann called from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 504, A bill to be entitled "An Act amending H. B. No. 386, 46th Legislature, providing a closed season for taking game fish on Caddo Lake and all fresh waters of Harrison and Marion Counties; making certain exceptions; providing a suitable penalty for violation of any provision of this Act; repealing all conflicting laws; and declaring an emergency."

On motion of Mr. McCann the House concurred in the Senate amendments by the following vote:

## Yeas—119

Allen	Bailey
Allison	Baker
Alsup	Bell
Avant	Benton

Blankenship	Klingeman
Boone	Knight
Brawner	Lansberry
Bridgers	Lehman
Brown	Leyendecker
Bruhl	Little
Bullock	Love
Burkett	Lowry
Burnaman	Lucas
Cato	Lyle
Chambers	McAlister
Clark	McCann
Cleveland	McDonald
Coker	McLellan
Colson, Mrs.	McMurry
Connelly	McNamara
Craig	Manford
Crossley	Manning
Crosthwait	Markle
Daniel	Martin
Davis	Matthews
Dickson of Bexar	Mills
Dove	Moore
Duckett	Morgan
Ellis	Morris
Evans	Morse
Favors	Murray
Ferguson	Nicholson
Files	Pace
Fuchs	Parker
Gandy	Pevehouse
Garland	Phillips
Gilmer	Price
Halsey	Rampy
Hanna	Reed of Bowie
Hardeman	Ridgeway
Hargis	Rhodes
Harris of Dallas	Roark
Hartzog	Roberts
Heflin	Sallas
Helpinstill	Senterfitt
Henderson	Simpson
Hileman	Skiles
Hobbs	Smith of Bastrop
Houston	Spacek
Huddleston	Spangler
Huffman	Stinson
Hughes	Stubbs
Humphrey	Taylor
Hutchinson	Thornton
Isaacks	Voigt
Jones	Walters
Kelly	Wattner
Kennedy	White
Kinard	Whitesides
King	

Present—Not Voting

Bray

Absent

Bundy  
CarltonCarrington  
Celaya

Dickson of Nolan	Montgomery
Donald	Reed of Dallas
Eubank	Sharpe
Dwyer	Shell
Goodman	Smith of Atascosa
Harris of Hill	Stanford
Howard	Turner
Hoyo	Vale
Lock	Weatherford
McGlasson	Winfree

Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

MOTIONS TO REREFER HOUSE  
BILL NO. 327

The House resumed consideration of pending business, same being a motion by Mr. Donald to rerefer House Bill No. 327 from the Committee on Appropriations to the Committee of the Whole House, motion by Mr. Morris to postpone further consideration of the motion by Mr. Donald until 10:00 o'clock a. m. next April 22, and motion by Mr. Donald to table the motion by Mr. Morris, pending.

Mr. Whitesides moved a call of the House for the purpose of maintaining a quorum pending consideration of the motion on House Bill No. 327, and the call was duly ordered.

On motion of Mr. Whitesides, the Sergeant at Arms was instructed to bring in all absent Members within the city who are not ill.

Mr. Whitesides moved to reconsider the vote by which the call of the House was ordered, and to table the motion to reconsider.

Question first recurring on the motion to table, it was lost.

Question then recurring on the motion to reconsider the vote by which the call of the House was ordered, it prevailed.

Question: Shall the call of the House be ordered?

The motion for the call of the House was lost.

Mr. Reed of Bowie moved to suspend the Rules in order that Mr.

Donald and one opponent on the motion to rerefer may be heard for five minutes each.

The motion to suspend the Rules was lost.

Question then recurring on the motion to table the motion to postpone further consideration of the motion to rerefer House Bill No. 327 until 10:00 o'clock a. m. next April 22, yeas and nays were demanded.

The motion to table was lost by the following vote:

#### Yeas—69

Avant	Lock
Bailey	Lowry
Baker	Lucas
Bullock	McCann
Burnaman	McLellan
Carrington	McMurry
Chambers	Manford
Connelly	Manning
Crossley	Martin
Daniel	Matthews
Davis	Mills
Dickson of Bexar	Montgomery
Donald	Moore
Dove	Morgan
Dwyer	Murray
Ellis	Pace
Evans	Parker
Favors	Pevehouse
Ferguson	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Roark
Goodman	Roberts
Halsey	Sallas
Hargis	Simpson
Helpinstill	Smith of Bastrop
Hobbs	Smith of Atascosa
Hoyo	Spacek
Huddleston	Stubbs
Huffman	Turner
Hutchinson	Walters
Kennedy	White
King	Whitesides
Knight	Winfree
Lehman	

#### Nays—70

Allen	Brawner
Allison	Bray
Alsup	Bridgers
Bell	Brown
Benton	Bruhl
Blankenship	Bundy
Boone	Burkett

Carlton	Lansberry
Cato	Leyendecker
Celaya	Little
Clark	Love
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McDonald
Craig	McGlasson
Crosthwait	McNamara
Duckett	Markle
Eubank	Morris
Files	Morse
Gilmer	Nicholson
Hanna	Phillips
Hardeman	Reed of Dallas
Harris of Dallas	Ridgeway
Hartzog	Rhodes
Heflin	Senterfitt
Henderson	Shell
Hileman	Skiles
Howington	Spangler
Hughes	Stinson
Humphrey	Taylor
Isaacks	Thornton
Jones	Vale
Kelly	Voigt
Kinard	Wattner
Klingeman	Weatherford

#### Absent

Dickson of Nolan	Sharpe
Harris of Hill	Stanford
Howard	

#### Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

Question then recurring on the motion to postpone further consideration of the motion to rerefer House Bill No. 327 until 10:00 o'clock a. m. next April 22, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows: Yeas, 70; nays, 70.

A verification of the vote was requested.

Mr. Eubank moved a call of the House for the purpose of maintaining a quorum pending consideration of the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:



## Yeas—71

Allen	Hughes
Allison	Humphrey
Alsup	Isaacks
Bell	Jones
Benton	Kelly
Blankenship	Kinard
Boone	Klingeman
Brawner	Lansberry
Bray	Leyendecker
Bridgers	Little
Brown	Love
Bruhl	Lyle
Bundy	McAlister
Burkett	McDonald
Carlton	McGlasson
Cato	McNamara
Celaya	Markle
Clark	Morris
Cleveland	Morse
Coker	Nicholson
Colson, Mrs.	Phillips
Craig	Ridgeway
Crosthwait	Rhodes
Duckett	Senterfitt
Eubank	Shell
Files	Skiles
Fuchs	Spangler
Gilmer	Stanford
Hanna	Stinson
Hardeman	Taylor
Harris of Dallas	Thornton
Hartzog	Vale
Heflin	Voigt
Henderson	Wattner
Hileman	Weatherford
Howington	

## Nays—69

Avant	Hargis
Bailey	Harris of Hill
Baker	Helpinstill
Bullock	Hobbs
Burnaman	Hoyo
Carrington	Huddleston
Chambers	Huffman
Connelly	Hutchinson
Crossley	Kennedy
Daniel	King
Davis	Knight
Dickson of Bexar	Lehman
Donald	Lock
Dove	Lucas
Dwyer	McCann
Ellis	McLellan
Evans	McMurry
Favors	Manford
Ferguson	Manning
Gandy	Martin
Garland	Matthews
Halsey	Mills

Montgomery	Sallas
Moore	Sharpe
Morgan	Simpson
Murray	Smith of Bastrop
Pace	Smith of Atascosa
Parker	Spacek
Pevehouse	Stubbs
Price	Turner
Rampy	Walters
Reed of Bowie	White
Reed of Dallas	Whitesides
Roark	Winfree
Roberts	

## Absent

Dickson of Nolan	Howard
Goodman	Lowry

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

The Speaker announced that the motion by Mr. Morris to postpone further consideration of the motion by Mr. Donald to rerefer House Bill No. 327 to the Committee of the Whole House until 10:00 o'clock a. m. next April 22, prevailed.

Mr. Lucas moved that House Bill No. 327 be withdrawn from the Committee on Appropriations and referred to the Committee on Education.

Mr. Fuchs moved as a substitute motion that House Bill No. 327 be withdrawn from the Committee on Appropriations and referred to the Committee on State Affairs.

(Pending consideration of the motions to rerefer, Mr. Phillips occupied the Chair temporarily.)

(Speaker in the Chair.)

On motion of Mr. Morris, the substitute motion by Mr. Fuchs was tabled.

By unanimous consent of the House, Mr. Lucas withdrew the motion to rerefer House Bill No. 327 to the Committee on Education.

Mr. Duckett moved to reconsider the vote by which the motion to rerefer House Bill No. 327 to the Committee of the Whole House was postponed until 10:00 o'clock a. m. next April 22.

Mr. Morris moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—72

Allen	Isaacks
Allison	Jones
Alsup	Kelly
Bell	Kinard
Benton	Klingeman
Blankenship	Lansberry
Boone	Leyendecker
Brawner	Little
Bray	Love
Bridgers	Lyle
Brown	McAlister
Bruhl	McGlasson
Bundy	McNamara
Burkett	Manford
Carlton	Markle
Cato	Montgomery
Celaya	Morris
Clark	Morse
Cleveland	Nicholson
Coker	Phillips
Colson, Mrs.	Reed of Dallas
Craig	Ridgeway
Crosthwait	Rhodes
Eubank	Senterfitt
Files	Shell
Gilmer	Skiles
Hanna	Smith of Atascosa
Hardeman	Spangler
Harris of Dallas	Stanford
Hartzog	Stinson
Heflin	Taylor
Henderson	Thornton
Howard	Vale
Howington	Voigt
Hughes	Wattner
Humphrey	Weatherford

## Nays—66

Avant	Dove
Bailey	Duckett
Baker	Dwyer
Bullock	Ellis
Burnaman	Evans
Carrington	Favors
Connelly	Ferguson
Crossley	Gandy
Daniel	Garland
Davis	Goodman
Dickson of Bexar	Halsey
Donald	Hargis

Harris of Hill	Moore
Helpinstill	Morgan
Hileman	Murray
Hobbs	Pace
Hoyo	Parker
Huddleston	Pevehouse
Hutchinson	Price
Kennedy	Rampy
King	Reed of Bowie
Knight	Roark
Lehman	Roberts
Lock	Sallas
Lowry	Simpson
Lucas	Smith of Bastrop
McCann	Spacek
McLellan	Stubbs
McMurry	Turner
Manning	Walters
Martin	White
Matthews	Whitesides
Mills	Winfree

## Absent

Chambers	Huffman
Dickson of Nolan	McDonald
Fuchs	Sharpe

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

HOUSE JOINT RESOLUTION NO. 3  
ON SECOND READING

Mr. Morris moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Joint Resolution No. 3.

The motion prevailed by the following vote:

## Yeas—101

Allen	Cato
Allison	Celaya
Alsup	Clark
Avant	Cleveland
Bell	Coker
Benton	Colson, Mrs.
Blankenship	Connelly
Boone	Crossley
Bray	Crosthwait
Bridgers	Daniel
Bruhl	Davis
Bullock	Dickson of Bexar
Bundy	Dove
Burkett	Duckett
Carlton	Ferguson
Carrington	Files

Fuchs	McNamara
Gandy	Manford
Garland	Manning
Gilmer	Markle
Halsey	Mills
Hanna	Montgomery
Hardeman	Moore
Harris of Dallas	Morgan
Harris of Hill	Morris
Hartzog	Nicholson
Heflin	Parker
Henderson	Pevehouse
Hileman	Phillips
Howard	Reed of Bowie
Howington	Ridgeway
Hoyo	Rhodes
Hughes	Roberts
Humphrey	Sallas
Hutchinson	Senterfitt
Jones	Shell
Kelly	Skiles
Kennedy	Smith of Atascosa
Kinard	Spangler
King	Stanford
Klingeman	Stinson
Lansberry	Stubbs
Lehman	Taylor
Leyendecker	Thornton
Little	Turner
Lock	Vale
Love	Voigt
Lowry	Wattner
McCann	Weatherford
McGlasson	Whitesides
McMurry	

## Nays—33

Bailey	Lyle
Baker	McAlister
Brawner	McLellan
Brown	Martin
Burnaman	Matthews
Craig	Morse
Donald	Murray
Ellis	Pace
Eubank	Price
Evans	Reed of Dallas
Favors	Roark
Goodman	Simpson
Hargis	Smith of Bastrop
Helpinstill	Spacek
Hobbs	Walters
Knight	Winfree
Lucas	

## Absent

Chambers	Isaacks
Dickson of Nolan	McDonald
Dwyer	Rampy
Huddleston	Sharpe
Huffman	White

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 3, Proposing an amendment to the Constitution of the State of Texas to be known as Section 14a of Article IV; providing that unless there shall be attached to each bill appropriating money when presented to the Governor, a certificate under oath executed by the Comptroller of Public Accounts stating that in the opinion of the Comptroller, the cash from the current revenues of the State not otherwise appropriated will be adequate and available to pay the sums appropriated when due, such bill shall not become a law.

The resolution was read second time.

Mr. McLellan raised a point of order on further consideration of House Joint Resolution No. 3 at this time, on the ground that there has been no public hearing held on the resolution.

The Speaker overruled the point of order.

Mr. Reed of Dallas offered the following amendment to the resolution:

Amend House Joint Resolution No. 3 by striking out all above and below the resolving clause and inserting in lieu thereof the following:

Proposing an amendment to Article III of the Constitution of the State of Texas, by adding a new section thereto to be known as Section 49a, requiring all bills passed by the Legislature on and after January 1st, 1945, appropriating money for any purpose to be sent to the Comptroller of Public Accounts, and fixing the duties of the Comptroller with reference thereto; and fixing the duties of the Speaker of the House of Representatives upon the return of any such bill to such Speaker by the Comptroller; and fixing the status of any such appropriation

bill when so returned; and fixing the duties of the Governor with reference to all appropriation bills; and requiring the State Treasurer, on or after January 1st, 1945, to submit to the Comptroller of Public Accounts daily report showing condition of all State funds; and regulating the issuance of warrants by the Comptroller; and providing for the submission of this amendment to the voters as required by the Constitution, and making an appropriation therefor.

Be It Resolved by the Legislature of the State of Texas:

Section 1. That Article III of the Constitution of the State of Texas, be amended by adding thereto immediately after Section 49, a section to be known as Section 49a, to read as follows:

"Sec. 49a. On and after January 1, 1945, all bills containing any appropriation of funds for any purpose, shall when passed by the Legislature, be sent to the Comptroller of Public Accounts, and it shall be the duty of such Comptroller of Public Accounts to attach to said bill his certificate duly subscribed and sworn to by him in his official capacity, reciting that based on all information available, it is his judgment that funds will, or will not be available as the case may be, in the State Treasury to pay said appropriation when it is payable, out of taxes then legally authorized to be levied, and if the Comptroller certifies that such funds will be available in the State Treasury to pay said appropriation when it is payable, out of taxes then legally authorized to be levied, he shall deliver said bill with such certificate attached to the Governor for his action. If the Comptroller certifies that such funds will not be available in the State Treasury to pay said appropriation when it is payable, out of taxes then legally authorized to be levied, he shall deliver said bill with such certificate attached to the Speaker of the House of Representatives, and shall also at the same time notify the Lieutenant Governor of the action taken by him, and upon receipt of said bill with certificate attached, the Speaker of the House of Representatives shall refer said bill to the Committee on

Revenue and Taxation for further legislative consideration, and such bill shall be regarded and treated as a new bill. The Governor shall not receive or approve any appropriation bill which does not have attached thereto the certificate of the said Comptroller that funds will be available in the State Treasury to pay said appropriation when it is payable, out of taxes then legally authorized to be levied.

"On and after January 1, 1945, the State Treasurer shall submit to the Comptroller of Public Accounts a daily report showing the condition of all State funds, and the Comptroller shall never issue a warrant payable out of any State funds, unless the money is then available in such fund to pay such warrant."

Sec. 2. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of the State of Texas, at the next general election to be held on the first Tuesday after the first Monday in November, 1942, being November 3rd, 1942, at which election all voters favoring said proposed amendment shall write or have printed on their ballots, the words:

"For the amendment to the Constitution of the State of Texas, requiring appropriation bills passed by the Legislature to be presented to and certified by the Comptroller of Public Accounts as to available funds for payment thereof, and fixing the duties of the Governor and Comptroller of Public Accounts with reference thereto."

Those opposing said proposed amendment shall write or have printed on their ballots, the words:

"Against the amendment to the Constitution of the State of Texas, requiring appropriation bills passed by the Legislature to be presented to and certified by the Comptroller of Public Accounts as to available funds for payment thereof, and fixing the duties of the Governor and Comptroller of Public Accounts with reference thereto."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have same published as required by the Constitution for amendments thereto.

Sec. 4. The sum of Five Thousand

(\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State of Texas, not otherwise appropriated, to pay the expenses of such publication and election.

(Mr. Hardeman in the Chair.)

Mr. Bailey moved that further consideration of House Joint Resolution No. 3 be postponed until 10:30 o'clock a. m. next Tuesday.

Mr. Harris of Dallas moved to table the motion to postpone.

The motion to table was lost.

Question then recurring on the motion to postpone further consideration of House Joint Resolution No. 3 until 10:30 o'clock a. m., next Tuesday, it prevailed.

#### NAMING MARTHA ANN HARTZOG MASCOT OF THE HOUSE

Mr. Walters offered the following resolution:

H. S. R. No. 184, Naming Martha Ann Hartzog Mascot of the House.

Whereas, We have with us now a proper person for office of Mascot of the House of Representatives of the Forty-seventh Legislature; now, therefore, be it

Resolved, That Martha Ann Hartzog, who will be one year old March 8, 1941, daughter of Mr. and Mrs. Howard Hartzog, who is a member of the Forty-seventh Legislature of Port Lavaca, Texas, be hereby officially named by this House as Mascot of the House of Representatives of the Forty-seventh Legislature of the State of Texas; and be it further

Resolved, That the said Martha Ann Hartzog have her picture made and placed in the official group of this body.

WALTERS,  
LOWRY.

The resolution was read second time and was adopted.

#### NAMING BILLY CARLTON MASCOT OF THE HOUSE

Mr. Walters offered the following resolution:

H. S. R. No. 185, Naming Billy Carlton Mascot of the House.

Whereas, We have with us a proper person for office of Mascot of the House of Representatives of the Forty-seventh Legislature; now, therefore, be it

Resolved, That Billy Carlton, six year old son of Honorable Leonard Carlton of Commerce, Texas, be hereby officially named by this House as Mascot of the House of Representatives of the Forty-seventh Legislature of the State of Texas; and be it further

Resolved, That the said Mascot have his picture made and placed in the official group of said body.

WALTERS,  
LOWRY.

The resolution was read second time and was adopted.

#### DESIGNATING A CENTENNIAL OF STATEHOOD COMMISSIONER

Mr. Carrington offered the following resolution:

H. S. R. No. 187, Designating a Centennial of Statehood Commissioner.

Whereas, Texas' Centennial of Statehood should be appropriately observed in 1945 and 1946 as a patriotic and educational event with all sections of the State participating and with a central celebration in the City of Austin, where, in a public celebration in February, 1846, were performed the last official acts of the last President of the Texas Republic and the first official acts of the first Governor and first Legislature of Texas; and

Whereas, Such celebration should enlist the statewide cooperation of the people of Texas; all patriotic, educational, historical, and religious organizations; all chambers of commerce, veterans' organizations, women's clubs, labor organizations, the respective managing boards of the several annual fairs held in Texas, such as the Sun Bowl at El Paso, the Flower Festival at San Antonio, the Mardi Gras at Galveston, the Fat Stock Show at Fort Worth, the Texas State Fair at Dallas, the South Texas Exposition at Houston, the Red River Valley Fair at Sherman, the Rose Festival at Tyler, and other like organizations in various cities and towns of Texas; and the Texas Press Association, as well as other

individuals, groups and influential institutions and organizations interested in the educational and patriotic advancement of the people of Texas; and

Whereas, A Garland Adair is Curator of Patriotic Exhibits in the Texas Memorial Museum, a State-supported Memorial Museum located on the campus of the University of Texas at Austin; and

Whereas, He is the originator of the Texas Centennial fifty cent pieces coined by the National Government for the 1936 centennial celebration of Texas independence, and the sales of such coins netted the Museum the sum of Ninety-one Thousand Dollars (\$91,000); and

Whereas, The said A. Garland Adair has been chairman of the American Legion Texas Centennial Committee for the past eight years, and as such chairman he successfully devoted his time and efforts to the campaign for the 1936 celebrations and was generally credited as the author of legislation making possible the building, furnishing, and equipping of the Texas Memorial Museum; is an ardent and persistent advocate of appropriate celebrations of Statehood to be held in 1945 and 1946, and would be a suitable person to contact the officials of the various groups and organizations referred to above, as well as State Senators and Representatives, Congressmen and United States Senators from Texas, and other public officials, for their views, ideas, and suggestions with reference to such celebrations for 1945 and 1946; to coordinate and systematize the views, ideas and suggestions thereby obtained and to report thereon with his own recommendations to the Forty-eighth Legislature of Texas; now, therefore, be it

Resolved, That A. Garland Adair be and he is hereby officially designated as Centennial of Statehood Commissioner, without pay from or expense to the State of Texas and without authority to bind the Legislature or the State in any way, but to make such contacts as above suggested and in such manner as he may deem most feasible, and to seek to obtain such views, ideas, and suggestions as are referred to in the preceding paragraph hereof and to

make such recommendations pertinent thereto to the Forty-eighth Legislature as he may deem proper and desirable, such recommendations to be suggestive and informative only and to be of no binding effect. To aid him in performing the patriotic services herein assigned him, he may select his associate commissioners who, like him, shall serve without pay from or expense to the State of Texas.

CARRINGTON,  
HOYO,  
STUBBS,  
EVANS,  
CATO,  
DOVE,  
McMURRY,  
BRIDGERS,  
BRUHL,  
BURNAMAN,  
DANIEL,  
PHILLIPS,  
HARDEMAN,  
STANFORD,  
SHARPE.

The resolution was read second time.

On motion of Mr. Bray the resolution was referred to the Committee on State Affairs.

#### AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 557

Mr. Craig offered the following resolution:

H. C. R. No. 87, Authorizing Certain Corrections in House Bill No. 557.

Whereas, House Bill No. 557 has passed the House and Senate; and

Whereas, A Senate amendment amends Section 3 by striking out the words "and Hutchinson," and by adding the word "and" between the words "Roberts" and "Hemphill" but fails to amend Section 1, and same should be amended; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to amend Section 1 according to the facts above set forth.

The resolution was read second time and was adopted.

## SPECIAL ORDER SET

Mr. McNamara moved that House Bill No. 825 be set for special order at 11:00 o'clock a. m. next Friday.

The motion prevailed by the following vote:

Yeas—101

Allen	King
Allison	Knight
Alsup	Lansberry
Avant	Leyendecker
Bailey	Little
Baker	Lock
Bell	Love
Boone	Lucas
Brawner	Lyle
Bridgers	McAlister
Brown	McCann
Bruhl	McGlasson
Bullock	McMurry
Burkett	McNamara
Carlton	Markle
Carrington	Matthews
Cato	Mills
Chambers	Montgomery
Clark	Moore
Cleveland	Morgan
Coker	Morris
Colson, Mrs.	Morse
Connelly	Murray
Crossley	Pace
Daniel	Parker
Davis	Phillips
Donald	Price
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Favors	Ridgeway
Ferguson	Roark
Fuchs	Roberts
Gandy	Sallas
Garland	Senterfitt
Gilmer	Simpson
Goodman	Skiles
Hanna	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Heflin	Spacek
Henderson	Spangler
Hileman	Stubbs
Hobbs	Taylor
Howington	Thornton
Hoyo	Turner
Huffman	Voigt
Hughes	Walters
Hutchinson	Wattner
Jones	Weatherford
Kelly	White
Kennedy	Whitesides
Kinard	

## Absent

Benton	Huddleston
Blankenship	Humphrey
Bray	Isaacks
Bundy	Klingeman
Burnaman	Lehman
Celaya	Lowry
Craig	McDonald
Crosthwait	McLellan
Dickson of Bexar	Manford
Dickson of Nolan	Manning
Dove	Martin
Duckett	Nicholson
Dwyer	Pevehouse
Evans	Rampy
Files	Rhodes
Halsey	Sharpe
Hargis	Shell
Harris of Hill	Stanford
Hartzog	Stinson
Helpinstill	Vale
Howard	Winfree

## Absent—Excused

Anderson	Fitzgerald
Bean	Kersey
Deen	

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Gandy:

H. B. No. 881, A bill to be entitled "An Act providing for the allowance of expenditures for office and traveling expenses of the County Superintendent of Public Instruction in certain counties to apply both when such counties have a school superintendent and when the county judge is the ex officio county superintendent; repealing all laws or parts of laws in conflict; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Rhodes:

H. B. No. 882, A bill to be entitled "An Act providing that it shall not be unlawful for any person to catch, trap, shoot, or kill any wild fox in

Robertson County, Texas, but making it a misdemeanor to sell or offer to sell the pelt or pelts thereof and providing a penalty; providing that it shall not be unlawful for any person to shoot, kill, or to set a steel trap, snare, or deadfall for the purpose of taking any other fur-bearing animal in Robertson County, Texas, nor to sell the pelt or pelts thereof; making the provisions of this law cumulative of all general laws on the subject not in conflict herewith and repealing all laws in conflict with the provisions of this Act; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Manning:

H. B. No. 883, A bill to be entitled "An Act defining the jurisdiction of the County Court of Shelby County and diminishing its civil jurisdiction; providing that the District Court of Shelby County shall have jurisdiction in all civil matters over which by the law the County Court would have jurisdiction; providing for the transfer of civil causes from the County Court to the District Court of Shelby County; providing for the repeal of all laws in conflict therewith; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Hoyo:

H. B. No. 888, A bill to be entitled "An Act granting permission to Mrs. Mamie Scherrer and her husband Emil Scherrer, and in case of the death of Mrs. Mamie Scherrer, her heirs to bring suit against the State of Texas and/or Highway Department in a court of competent jurisdiction in San Patricio County, Texas, for damages for personal injuries and medical and hospital attention; the damages having been received by Mrs. Mamie Scherrer in an automobile accident on the Old Sinton to Taft Highway; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected; and declaring an emergency."

Referred to the Committee on State Affairs.

Mr. Gilmer asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 884.

There was no objection.

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Gilmer:

H. B. No. 884, A bill to be entitled "An Act amending Article 4000, Revised Civil Statutes of Texas, enacted by the Legislature in 1925, so as to retain all of the provisions of the present Act, and in addition to authorize the mortgaging of stocks of wool or mohair, or stocks of wool and mohair, in possession of the mortgagor; and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

Mr. Clark asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 885.

There was no objection.

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Clark, Mr. Harris of Hill, Mr. Parker, Mr. Cato, Mrs. Colson and Mr. McDonald:

H. B. No. 885, A bill to be entitled "An Act relating to the acquisition of real and personal property by Conservation and Reclamation District and authorities established under Article 16, Section 59a, of the Constitution, to which State ad valorem taxes have been granted for a period of years; enacting provisions relating to the subject, authorizing such districts to condemn property necessary in the construction and/or operation of its dams, reservoirs, or other properties; authorizing condemnation suits in the district court and prescribing the procedure therefor; providing for a hearing if possession of the property is desired immediately by said district, for notice to the owners of



such hearing, and for the entering of an interlocutory order by the court under which the value of the property is found, and for the right of immediate possession by the district upon depositing an amount of money equal to the value of the property as found by the court; providing that this Act shall be cumulative, that the invalidity of any provision of the Act shall not affect the remainder and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

(Speaker in the Chair.)

Mr. Celaya asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 886.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Celaya:

H. B. No. 886, A bill to be entitled "An Act amending Article 2370, Revised Statutes of 1925, by providing that the Commissioners Court of any county may, when necessary, furnish suitable quarters, other than the court house, for holding court and carrying on other public business and may rent such part of any such quarters not necessary for public use; authorizing the Commissioners Court, where any such building is used partly for public and partly for private purposes, to issue securities for certain purposes and to pledge the net revenues derived from such renting; setting forth the terms and provisions of such pledge and of any such securities and making applicable to such securities the bond and warrant law of 1931, as amended, with certain exceptions; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Hardeman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 887.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Hardeman:

H. B. No. 887, A bill to be entitled "An Act amending Sections 2, 5 and 10 of Chapter 506, Acts 1937, 45th Legislature, page 1494-a, as amended by House Bill No. 565, Section 1, Acts 1939, 46th Legislature; and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

#### TO REQUEST CERTAIN INFORMATION OF THE DIES INVESTIGATING COMMITTEE

The Speaker laid before the House, as unfinished business, House Simple Resolution No. 179, by Mr. Morris, To request certain information of the Dies Investigating Committee.

The resolution having heretofore been read second time.

On motion of Mr. Morris, the resolution was laid on the table subject to call.

#### ADDITIONAL SIGNERS OF BILL AND RESOLUTION

By unanimous consent of the House, the following Members were authorized to sign bill and resolution as coauthors of same, as follows:

Mr. Kelly: H. J. R. No. 3.

Mr. Phillips and Mr. Spacek: H. B. No. 825.

#### ADJOURNMENT

On motion of Mr. Smith of Atascosa, the House, at 6:00 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolution as follows:

Appropriations: H. B. No. 22 and H. S. R. No. 162.

School Districts: S. B. No. 419 and H. B. Nos. 793 and 873.

REPORTS OF THE COMMITTEE  
ON ENGROSSED BILLS

Austin, Texas, April 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 828, A bill to be entitled "An Act amending Sections 3, 5, 6, 7 and 9 of Chapter 426, Acts of the Regular Session of the Forty-fifth Legislature, relative to the powers of the San Jacinto River Conservation and Reclamation District; providing for the appointment, terms, salary, rights, powers and duties of the Board of Directors of said district; fixing the boundaries and domicile of said district; declaring the recurrent floods in the valley of the San Jacinto River to be a public calamity; repealing Section 11 of said Chapter 426, Acts of the Regular Session of the Forty-fifth Legislature, together with all other laws and parts of laws in conflict with the provisions of this Act; providing a saving clause and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 205, A bill to be entitled "An Act to amend Section 25, Section 31, Section 32 and Section 65 of House Bill No. 407, Chapter 4, page 602 of the Acts of the 46th Legislature, Regular Session (1939); defining "department"; providing a method and manner of issuing receipts and certificates of title when a lien is disclosed thereon, adding Subsection (a) under Section 32 as amended, limiting the use of duplicate copies of said receipts and certificates of title; providing for the transfer of the Certificate of Title Section of the Department of Public Safety of the State of Texas to the Highway Department of the State of Texas and designating the same as

a division within said department, amending the repealing clause of said Act, and creating an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 816, A bill to be entitled "An Act to create road district number seven, of Lavaca County, Texas; defining its boundaries; conferring upon said road district all the rights, etc.; authorizing and empowering the Commissioners' Court of Lavaca County, Texas, to proceed in the issuance of bonds of said district created by this Act in the manner provided by general law for the issuance of road district bonds in ordinary road districts; providing that nothing in this Act shall be construed as affecting the organization and establishment of road district number two, of Lavaca County, Texas, as created by Chapter 390, of the Special Laws passed by the Thirty-ninth Legislature of this State, at its First Called Session in 1926 (a portion of the territory of said district being included in Section 1, of this Act), but the said road district number two shall continue to operate as a defined road district over the territory included within its limits, described and defined in that certain order of the Commissioners' Court of Lavaca County, Texas, passed and adopted by said court on the 14th day of April, 1919, recorded in Book m, page 160, et seq., of the minutes of the Commissioners' Court of said county, and to which order reference is made by said Chapter 390, creating the said road district number two; and nothing herein shall be construed as prohibiting the territory now included within said road district number two from hereafter issuing road bonds on its faith and credit, within the limitations prescribed by Section 52, Article 3, of the Constitution of this State; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

**In Memory of**  
**Hon. Clifford L. Stone**

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(Mr. Hardeman in the Chair.)

Mr. Ferguson offered the following resolution:

H. S. R. No. 181, In Memory of Hon. Clifford L. Stone.

Whereas, A distinguished and useful life came to an end in the death of Honorable Clifford L. Stone on the 7th day of June, 1940; and

Whereas, Clifford L. Stone unselfishly served the people of his county, district and State, as Sheriff of Rusk County, 1904-1908; as a Member of the Legislature of Texas from Rusk County, 1910-1914; as County Attorney of Rusk County, 1915-1916; as District Attorney of the Fourth Judicial District of Texas, 1917-1918; and as an Assistant Attorney General of Texas during the administrations of Honorable C. M. Cureton, W. A. Keeling and Dan Moody, until the year 1927, when he retired to the private practice of law at Henderson, Texas, in which he was engaged until his death; and

Whereas, In the passing of Clifford L. Stone the legal profession has lost one of its most distinguished members, a man learned in the law, diligent and untiring in investigation, wise in counsel, eloquent and convincing in argument, scrupulously ethical in all dealings, courageous and honest with the courts, affable in manner, unyielding in the protection of the rights of his clients, genial in disposition and gentle and courteous in manner toward all mankind; and

Whereas, In his passing Texas has lost a great citizen, his proud mother a noble son, his wife and daughters a loving husband and father, and his friends a rugged and loyal friend; and

Whereas, We desire in a measure to perpetuate our love and esteem for Clifford L. Stone as a friend, a lawyer, and a citizen;

Now, therefore, be it resolved, That the Members of the House of Representatives of the 47th Legislature of the State of Texas officially express its deep sorrow and bereavement upon the death of Clifford L. Stone and extend to his family and to his innumerable friends that measure of consolation of which humanity is capable, with the assurance to those who have sorrowed at his passing that his life and activities shall ever remain as his monument; and

Be it further resolved, That a copy of this resolution be enrolled and furnished the members of his family; and

Be it further resolved, That when the House stands adjourned today, it do so in memory of Clifford L. Stone.

FERGUSON,  
ALSUP.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craigh, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett,

Dwyer, Ellis, Evans, Eubank, Favors, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lausberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

**In Memory of**  
**Hon. Robert R. (Bob) Williams**

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Mr. Walters offered the following resolution:

H. S. R. No. 186, In Memory of Honorable Robert R. (Bob) Williams.

Whereas, On the 11th day of March, 1941, the Great Architect of the Universe called to rest from his earthly labors, the Honorable Robert R. (Bob) Williams of Cumby, Texas, at the age of 101 years; and

Whereas, Robert R. (Bob) Williams was the oldest resident of Hopkins County, and had served as State Representative in the Twenty-seventh, Thirty-third and Thirty-fourth Legislatures and had held public office in his county for twenty-eight years; and

Whereas, At the time of his death a Confederate Flag hung on the wall of his room as a symbol of an "Unreconstructed Rebel" and as a reminder of the four years he served with the Armies of the Confederacy; and

Whereas, Robert R. (Bob) Williams was at one time associated with John N. Garner, former Vice President, and with Speaker Sam Rayburn, and was instrumental in the founding of the Texas State College for Women at Denton;

Whereas, Robert R. (Bob) Williams was a beloved character that rendered an unselfish service to his county, State, and Nation, and was typical of the pioneer spirit that built this Nation and was loved by all who knew him; now, therefore, be it

Resolved, That the House of Representatives of the State of Texas acknowledge with deep regret the passing of this splendid man and that a copy of this resolution be spread upon the memorial pages of the House Journal, as a token of the love which we held for this fine man; and be it further

Resolved, That the Chief Clerk of the House of Representatives send the family of deceased a copy of this resolution and that when the House adjourns today, it do so in silent memory of a man dearly beloved by all who knew him.

WALTERS,  
GANDY.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman,

Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Carlton, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.